

---

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

---

DAVID WEBB,

Plaintiff,

v.

ELIJAH SWENSEN, TRAVIS KEARL,  
ALICIA MARIE WASHINGTON, TWO  
JOHN DOES, and MICHAEL ASHMENT  
(OGDEN CITY CHIEF OF POLICE),

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 1:14-CV-148

District Judge Dee Benson

---

Before the court is the Report and Recommendation issued by United States Magistrate Judge Dustin B. Pead on January 30, 2015, recommending that this court dismiss Plaintiff's complaint under 28 U.S.C. § 1915(e)(2), deny Plaintiff's motion for service of process, and deny Plaintiff's motion to appoint counsel. (Dkt. No. 8.) The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. On February 9, 2015, Plaintiff David Webb filed a document titled "Pro Se Plaintiff's Objections to R&R Dated 30 January 2015." (Dkt. No. 10.)

Having reviewed all relevant materials, including Plaintiff's objection, and the reasoning set forth in the magistrate judge's Report and Recommendation, the court ADOPTS the Report and Recommendation. Accordingly, the Court hereby:

- (1) DISMISSES without prejudice Plaintiff's complaint under 28 U.S.C. § 1915(e)(2) (Dkt. No. 3);
- (2) DENIES without prejudice Plaintiff's motion for service of process (Dkt. No. 5.); and

(3) DENIES without prejudice Plaintiff's motion to appoint counsel. (Dkt. No. 4.)

IT IS SO ORDERED

DATED this 27<sup>th</sup> day of February, 2015.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script.

---

Dee Benson  
United States District Court Judge